

# UTILITY PATENT APPLICATION TRANSMITTAL

(Only for new nonprovisional applications under 37 C.F.R. § 1.53(b))

Attorney Docket No. 99-03 C1 Total Pages 79

First Named Inventor or Application Identifier

TRUITT et al.

Title Pressure Support System and Method and a Pressure Control Valve for use in such a System and Method

Express Mail Label No. EV 196251558 US

17858 U.S. P10  
10/647497

06/25/03

## APPLICATION ELEMENTS

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form  
(Submit an original, and a duplicate for fee processing)
2. ☒ Specification [Total Pages 40]  
(preferred arrangement set forth below)  
-Descriptive Title of the Invention  
-Cross References to Related Applications  
-Statement Regarding Fed sponsored R & D  
-Background of the Invention  
-Brief Summary of the Invention  
-Brief Description of the Drawings (if filed)  
-Detailed Description  
-Claim(s)  
-Abstract of the Disclosure
3. ☒ Drawing(s) (35 U.S.C. § 113) [Total Sheets 8]
4. ☒ Oath or Declaration [Total Pages 2]
  - a. ☐ Newly executed (original or copy)
  - b. ☒ Copy from a prior application (37 C.F.R. § 1.63(d))  
(for continuation/divisional with Boxes 19 and 20 completed)  
[Note Box 5 below]
    - i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s) named in the prior application, see 37 C.F.R. §§ 1.63(d)(2) and 1.33(b).
  - c. ☐ Unsigned
5. ☒ Incorporation By Reference (useable if Box 4b is checked)  
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. ☒ Application Data Sheet per 37 C.F.R. § 1.76  
[Total Pages 2]

ADDRESS TO: Commissioner for Patents  
Box Patent Application  
Washington, DC 20231

7. DOMESTIC/INTERNATIONAL priority is claimed under 35 U.S.C. § 119(e)/120/365(c) based on the following provisional, nonprovisional, and/or PCT international applications.

	Application No.	Filing Date
(1)	09/347,071	July 2, 1999
(2)		

8. ☒ Prior application is assigned to Respironics, Inc. by Assignment recorded July 2, 1999 Reel 010094 Frame(s) 0620.

## ACCOMPANYING APPLICATION PARTS

9. ☐ Assignment Papers (cover sheet & document(s))  
(Please return recorded assignment to the undersigned)
10. ☐ 37 C.F.R. § 3.73(b) Statement ☐ Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure ☐ Copies of IDS Citations  
Statement (IDS)/PTO-1449
13. ☒ Preliminary Amendment (to be entered before calculating fees)
14. ☒ Return Receipt Postcard  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☒ Certificate of Mailing by Express Mail
17. ☐ Non-publication Request and Cert. under 35 U.S.C.  
§ 122(b)(2)(B)(i) (attach copy of RI-186 Form (PTO/SB/35)).
18. ☒ Other: Formal Drawings

19. If a CONTINUING APPLICATION, check appropriate box and supply the requisite information:

☒ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No. 09/347,071

Prior application Information: Examiner: Mendoza, M. Group/ArtUnit: 3761

20. Please amend the specification by inserting before the first line the sentence: This is a ☐ Continuation ☐ Divisional  
☐ Continuation-in-part (CIP) of prior application No. \_\_\_\_\_

## 21. CORRESPONDENCE ADDRESS

Customer No. and Bar Code Label.



30031

PATENT TRADEMARK OFFICE

Name	Michael W. Haas	Reg. No.	35,174
Signature	<i>Michael W. Haas</i>	Date	August 25, 2003

08/25/03

**FEE TRANSMITTAL**

(Effective 01/01/2003)

Application Number Not Yet Assigned

Filing Date August 25, 2003

First Named Inventor TRUITT et al.

Confirmation Number Unknown

Group Art Unit Unknown

Examiner's Name Unknown

Attorney Docket No. 99-03 C1

Express Mail® Label No. EV 196251558 US

TOTAL AMOUNT OF PAYMENT \$ 750.00

METHOD OF PAYMENT				FEE CALCULATION (continued)																																																																																																																																																																																		
<b>1.</b> <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to: Deposit Account Number <u>50-0558</u> Deposit Account Name <u>Respiroics, Inc.</u> <input checked="" type="checkbox"/> Charge any additional fee required under 37 C.F.R. §§ 1.16, 1.17, 1.19 and 1.20 <input type="checkbox"/> Charge the Issue Fee set forth in 37 C.F.R. § 1.18				<b>3. ADDITIONAL FEES</b>																																																																																																																																																																																		
<b>2.</b> <input checked="" type="checkbox"/> Payment Enclosed: Check (Check No. <u>1163</u> )				<table border="1" style="width:100%; border-collapse: collapse;"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>1051</td><td>130</td><td>2051</td><td>65</td><td>Surcharge - late filing fee or declaration</td><td></td></tr> <tr><td>1052</td><td>50</td><td>2052</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>1811</td><td>100</td><td>1811</td><td>100</td><td>Certificate of Correction</td><td></td></tr> <tr><td>1812</td><td>2,520</td><td>1812</td><td>2,520</td><td>For filing a request for reexamination</td><td></td></tr> <tr><td>576</td><td>25</td><td>576</td><td>25</td><td>Additional filing receipt, duplicate or corrected due to applicant error</td><td></td></tr> <tr><td>1805</td><td>1,840*</td><td>1805</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>1251</td><td>110</td><td>2251</td><td>55</td><td>Extension for response within first month</td><td></td></tr> <tr><td>1252</td><td>410</td><td>2252</td><td>205</td><td>Extension for response within second month</td><td></td></tr> <tr><td>1253</td><td>930</td><td>2253</td><td>465</td><td>Extension for response within third month</td><td></td></tr> <tr><td>1254</td><td>1,450</td><td>2254</td><td>725</td><td>Extension for response within fourth month</td><td></td></tr> <tr><td>1255</td><td>1,970</td><td>2255</td><td>985</td><td>Extension for response within fifth month</td><td></td></tr> <tr><td>1401</td><td>320</td><td>2401</td><td>160</td><td>Notice of Appeal</td><td></td></tr> <tr><td>1402</td><td>320</td><td>2402</td><td>160</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>1403</td><td>280</td><td>2403</td><td>140</td><td>Request for oral hearing</td><td></td></tr> <tr><td>1451</td><td>1,510</td><td>1451</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>1452</td><td>110</td><td>2452</td><td>55</td><td>Petition to revive unavoidably abandoned application</td><td></td></tr> <tr><td>1453</td><td>1,300</td><td>2453</td><td>650</td><td>Petition to revive unintentionally abandoned application</td><td></td></tr> <tr><td>1501</td><td>1,300</td><td>2501</td><td>650</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>1502</td><td>470</td><td>2502</td><td>235</td><td>Design issue fee</td><td></td></tr> <tr><td>1814</td><td>110</td><td>2814</td><td>55</td><td>Statutory Disclaimer</td><td></td></tr> <tr><td>1460</td><td>130</td><td>1460</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>1807</td><td>50</td><td>1807</td><td>50</td><td>Petitions related to provisional applications</td><td></td></tr> <tr><td>1806</td><td>180</td><td>1806</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>8021</td><td>40</td><td>8021</td><td>40</td><td>Recording each patent assignment per property (times number of property)</td><td></td></tr> <tr><td>1809</td><td>750</td><td>2809</td><td>375</td><td>Filing a submission after final rejection (37 C.F.R. § 1.129(a))</td><td></td></tr> <tr><td>1801</td><td>750</td><td>2801</td><td>375</td><td>Request for Continued Examination</td><td></td></tr> <tr><td colspan="5">Other Fee (specify) _____</td><td></td></tr> <tr> <td colspan="4" style="text-align: right;"><b>SUBTOTAL (1)</b></td> <td colspan="2" style="text-align: right;"><b>\$ 750.00</b></td> </tr> </tbody> </table>					Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	1051	130	2051	65	Surcharge - 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**SUBMITTED BY**

Typed or Printed Name	Michael W. Haas	Reg. Number	35,174
Signature	<i>Michael W. Haas</i>	Date	August 25, 2003
		Deposit Account Number	50-0558

## Certificate of Mailing by "Express Mail"

EV 196251558 US


"Express Mail" label number

August 25, 2003

Date of Deposit

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Signature of person mailing correspondence

Michael W. Haas

Typed or printed name of person mailing correspondence

Note: Each paper must have its own certificate of mailing by "Express Mail".

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION of

Inventor : TRUITT et al.  
Appln. No. : Not Yet Assigned (Cont. of 09/347,071)  
Conf. No.: : Unknown  
Filed: : August 25, 2003  
Title: : PRESSURE SUPPORT SYSTEM AND A PRESSURE  
CONTROL VALVE FOR USIN IN SUCH A SYSTEM AND  
METHOD  
Group Art Unit : Unknown  
Examiner : Unknown  
Docket No. : 99-03 C1

\* \* \* \* \*

August 25, 2003

FILING OF FORMAL DRAWINGS

Hon. Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

Sir:

Please accept herewith the 8 sheets of formal drawings on 8½ x 11 size paper of  
Figures 1 - 11;

☒ which are in lieu of the informal drawing(s) filed earlier.

Each sheet of drawings includes the identifying indicia suggested in 37 C.F.R. § 1.84 (c) on the  
reverse side of the drawing.

Respectfully submitted,

By Michael W. Haas

Michael W. Haas  
Reg. No.: 35,174  
Tel. No.: (724) 387-5026  
Fax No.: (274) 387-5021

RESPIRONICS INC  
1010 Murry Ridge Lane  
Murrysville, PA 15668

**CERTIFICATE OF MAILING UNDER 37 C.F.R. § 1.8(a)**

I hereby certify that this paper (along with any referred to as being attached or enclosed) is being deposited with the  
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Mail Stop Patent Application, Commissioner for Patents, P.O. Box 1450, Alexandria, VA, 22313-1450.

"Express Mail" mailing number: EV 196251558 US.

Michael W. Haas

Michael W. Haas, Reg. No. 35,174